

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB Case No. 01-033)

PATENT

In Re Application of:  
Bacus

Serial No. 09/760,120

Filed: January 12, 2001

For: METHOD FOR QUANTITATING  
A PROTEIN BY IMAGE ANALYSIS

RECEIVED  
CENTRAL FAX CENTER

Examiner: G. Gabel MAY 06 2005

Art Unit: 1641

Confirmation No.: 1979

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Examiner G. Gabel Fax No. (703) 872-9306 No. of Pages: 3  
(Including Transmittal Letter)

## FACSIMILE TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above-identified patent application:  
☒ Interview Summary
2. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490.
3. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** I hereby certify that I directed that this Transmittal Letter and the correspondence identified above be facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 872-9306 on the date indicated below.

Date: May 6, 2005

By: Andrew W. Williams  
Andrew W. Williams  
Registration No. 48,644

MCDONNELL BOEHLEN HULBERT & BERGHOFF LLP  
300 North Wacker Drive  
Chicago, Illinois 60606  
(312) 872-8000

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APPLICANT'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW  
CONDUCTED ON MARCH 31, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

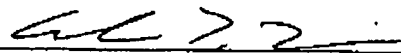
Applicants respectfully request that the following Statement of the Substance of the Interview conducted on March 31, 2005 be made of record in this case. An Interview Summary form was mailed by Examiner Gabel with the Notice of Allowance mailed April 6, 2005. Therefore, because Applicants' Statement must be filed by one month from the mailing date of the Interview Summary form, Applicants understand that this Statement is timely filed. If, however, this understanding is incorrect and a fee is due, please charge our deposit account number 13-2490.

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CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that I directed that this correspondence be facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Date: May 6, 2005

  
Andrew W. Williams

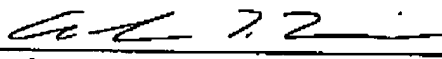
**Substance of the Interview Conducted on March 31, 2005**

An Examiner Interview was conducted via telephone on March 31, 2005. The participants were Examiner Gailene R. Gabel and Applicants' representative Kevin E. Noonan. No exhibits were shown nor demonstrations conducted. All pending claims were discussed. No prior art that was not already of record was discussed. An examiner's amendment of claim 21 was discussed as described on the Interview Summary Form completed by the Examiner. The Examiner argued that claim 21 step b) lacked antecedent basis for "the pixels" and "the cellular area," but agreed to allow the claims if claim 21 was amended. Dr. Noonan authorized the amendment suggested by the Examiner, which was entered by Examiner's amendment, and is contained in the Notice of Allowance.

If Examiner Gabel believes it to be helpful, or disagrees with anything in Applicant's Interview Summary Statement, she is invited to contact the undersigned by telephone at (312) 913-0001.

Respectfully Submitted,

Date: May 6, 2005

  
\_\_\_\_\_  
Andrew W. Williams, Ph.D.  
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McDonnell Boehnen Hulbert & Berghoff LLP  
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